

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIRGINIA MILANES, OMAR MIGUEL FARFAN,
MANUEL ALBERTO MARTINEZ, ANDRES
GIOVANNY SANCHEZ, NANCY CASTRO, and
MARGOTH PEREZ DE CHALAMPA, on behalf of
themselves and all other similarly situated individuals,

Plaintiffs,

-against-

08 CV 2354

(ECF CASE)

MICHAEL CHERTOFF, in his official capacity as
Secretary of the Department of Homeland Security,
EMILIO GONZALEZ, in his official capacity as
Director of the United States Citizenship and
Immigration Services, ANDREA QUARANTILLO,
in her official capacity as District Director of the
New York City District of the United States
Citizenship and Immigration Services,
MICHAEL B. MUKASEY, in his official capacity as
Attorney General of the United States, and
ROBERT S. MUELLER, III, in his official capacity as
Director of the Federal Bureau of Investigation,

Defendants.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon Plaintiffs' Memorandum of Law in Support of their Motion for Reconsideration of the Court's August 7, 2008 judgment dismissing Counts I and II of their Complaint, Plaintiffs, by their attorneys, will move this Court before the Honorable Lawrence M. McKenna, United States District Judge, at Room 1640 of the United States Courthouse for the Southern District of New York, at 500 Pearl Street, New York, New York, on a date to be determined by the Court, for an order:

Reinstating Counts I and II as to those members of the proposed class and sub-class whose FBI name checks have been completed and for issuance of a preliminary injunction directing USCIS Defendants to adjudicate the applications of those class members in time for those found eligible to be naturalized to register to vote in the November 2008 election.

Dated: New York, New York
August 19, 2008

Respectfully Submitted,

Weil, Gotshal & Manges LLP

By: /s/ Richard W. Slack

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